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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/730,306	12/08/2003	Peter Thiessen	THOLAM P218US 2165		
20210 7590 10/14/2004			EXAMINER		
DAVIS & BUJOLD, P.L.L.C.			THOMPSON, HUGH B		
FOURTH FLO	OR				
500 N. COMMERCIAL STREET			ART UNIT	PAPER NUMBER	
MANCHESTER, NH 03101-1151			3634		
	•		DATE MAII ED: 10/14/200	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

### Office Action Summary    10/730,306			Application	n No.	Applicant(s)				
Hugh B. Thompson II   3534	Office Action Summary		10/730,30	6	THIESSEN, PETER				
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of arm may be evaluate under the provision of 3°CFR 1.13(6), is no event, however, may a reply be timely filed by the period for reply specified above, the maximum of 3°CFR 1.13(6), is no event, however, may a reply be timely filed by the period for reply specified above, the maximum of 3°CFR 1.13(6), is no event, however, may a reply be timely filed by the period for reply specified above, the maximum statutopy period wile gives to \$0 MONTHS from the mailing date of this communication of the period for reply within the set or extended period for reply will, by advantage period will period period will be period for reply within the set or extended period for reply will, by advantage period will period to the period for reply will, by advantage period will period to the period for reply will, by advantage period will period to the period for reply will, by advantage period will period to become ABANCONED (3° 1.3° 1.3° 1.3° 1.3° 1.3° 1.3° 1.3° 1.			Examiner	-	Art Unit				
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Application/Control Number: 10/730,306

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**DETAILED ACTION** 

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

to particularly point out and distinctly claim the subject matter which applicant regards as the

invention.

With respect to claim 3, line 4, the applicant should recite that the female end is slid over

"a respective" male end, so as to properly orient respective connections.

In lines 13 and 14, the applicant has now recited "a ladder", however, lines 2-3 suggest

an assembly of ladder sections. It is suggested the applicant either recite the ladders or sections

of ladders.

Allowable Subject Matter

Claims 1 and 2 are allowed.

The following is an examiner's statement of reasons for allowance: the primary reason

for the allowance of claim 1 and the subject matter of claim 3, is the inclusion of the ends of the

band secured to ladder ends, and detachable tubing clamps to receive tubing and a projection key

projecting from the clamp to engage a keyhole in the band. The prior art of record fails to teach

or suggest the claimed feature absent the applicant's own disclosure.

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## Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hay 32,539,664, Ray 33,106,986, and Warren #6,607,053 are cited to teach safety cage assemblies for ladders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (703) 305-0102. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hugh B. Thompson II Primary Examiner

Art Unit 3634

Thurs.

September 30, 2004

HUGH B. THOMPSON II PRIMARY EXAMINER TECHNOLOGY CENTER 3600